

MOTION TO AMEND NO. 1

I hereby move to amend Bill No. 02-160 as follows:

1. On page 5, between lines 17 and 18, insert the following:

“(s) Under the legislative findings in the Nebraska Housing Agency Act (Neb. Rev. Stat. §§ 71-1572 to 71-15,168 (2000 Cum. Supp.) the Nebraska Legislature declares that there exists in this state a shortage of residential housing that is decent, safe, sanitary, and affordable to persons of low and moderate income which cannot be remedied by the ordinary functioning of private enterprise alone; that the provision of such affordable housing is a public purpose which can best be carried out by affording local housing agencies the necessary powers to enable them to carry out their purposes. Under the Act, a local housing agency is declared to be a political subdivision of the State and is granted the power to condemn property for the purpose of providing affordable housing subject to local planning, zoning, and building codes. The Housing Authority of the City of Lincoln was established by the City in 1946 and is a local housing agency under the Act and as such is subject to the City’s zoning regulations. However, the Act encourages intergovernmental cooperation between the Housing Authority of the City of Lincoln and the City and specifically authorizes the City to grant exceptions from its zoning regulations in order to facilitate development in furtherance of the purposes of the Act. The Act further authorizes the City of Lincoln incur the entire expense of any public improvements made by the City for the purpose of aiding and cooperating with the Housing Authority of the City of Lincoln’s provision of affordable housing pursuant to the Act. Therefore, in consideration of the State’s policy that the City cooperate with the Housing Authority of the City of Lincoln in order to promote and facilitate the

Housing Authority of the City of Lincoln's construction of decent, safe and sanitary housing which is affordable to persons of low and moderate income, all impact fees should be waived for such development."

2. On page 5, line 18, delete the letter "(s)" and insert in lieu thereof the letter "(t)".

3. On page 18, between lines 17 and 18, insert the following:

"(9) Development or construction by the Housing Authority of the City of Lincoln pursuant to the Nebraska Housing Agency Act.

Introduced by:

Approved as to Form & Legality:

Chief Assistant City Attorney

Requested by: Housing Authority of the City of Lincoln

Reason for Request: To ensure that the Housing Authority of the City of Lincoln's developments for low income and moderate income housing are exempt from payment of the impact fees.